

Apr. 7. 2003 10:47AM FRISHAUF & PARTNERS

No. 5247 P. 2/3
From:HOLTZ

REMARKS

The specification has been amended to correct a minor error. No new matter has been added. It is respectfully requested that the amendment to page 16, line 14 of the specification be approved and entered.

Attached is a photocopy of page 16 of the specification showing the amendment made by handwriting.

ELECTION

Applicants hereby elect Species (b), claims 3, 19-23, 25 and 27-38, for further prosecution on the merits, without traverse. Applicants have informed the undersigned that there is no change of inventorship in connection with this election of species.

It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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Dated: April 7, 2003

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VERSION MARKED TO SHOW CHANGES MADE

(Corresponding Embodiment of Invention)

The first aspect (1) of the invention corresponds to a first embodiment of this invention.

While a vertical resonance type surface emitting laser is described mainly in this embodiment as the surface emitting laser used in the first aspect (1) of the invention, the surface emitting laser should include a surface emitting laser formed by integrating an edge emitting type semiconductor laser and an optical waveguide, a rising mirror or a diffraction grating.

The "diffraction grating of a predetermined period for forming a diffraction interference pattern" in this structure means a diffraction grating having a [period] periodic modulated pattern of optical characteristics such as the amplitude and phase formed thereon and should cover every diffraction grating including a reflection type diffraction grating for forming a diffraction interference pattern on the light receiving surface and a transmission type diffraction grating.

Also, the "light intensity detecting means comprised of a plurality of light receiving areas" used herein implies a photosensor so constructed as to add the outputs of the plural light receiving areas arranged at intervals of $n\lambda(z_1+z_2)/z_1$ in the pitch direction of the diffraction interference pattern on the light receiving surface and output the sum and

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